

Medical Defense. The Society was not entering into competition with any company in a money-making business; it was merely establishing a mutual protective arrangement that was not intended for profit but for absolute protection. And it has absolutely protected. When the Insurance Commissioner notified the Physicians' Defense Co. that it must not write any new "contracts," the JOURNAL was asked by a number of members to publish the information; we declined for the reasons above given; we were not out to "knock" any company. This same sort of thing has been going on for a year; not a week goes by that some doctor does not send in a letter from some insurance company in which he has had a policy that he now declines to renew, telling him that the State Society Medical Defense is not nearly as good as the protection offered by the company—for \$15.00 or more. Now let us see what a real case of proof showed.

The old question of whether a manufacturer or discoverer should have the right to patent his chemical, newly invented and of therapeutic value, has received a good deal of discussion during recent years. It is a very large and very complicated question; too much of both to be solved by any small number of men nor in any short length of time. From the Bulletin of the A. Ph. A. we quote the following:

"In Germany, the process of preparing Ehrlich's 606 (or arsenobenzol dioxydiamido-arsenobenzol) has been patented and improved processes can be patented and the products marketed. In the United States, application has possibly been made for a process patent, a product patent and the registration of a title for Ehrlich's 606, and if it should be granted, no other process of manufacture can be patented and the product marketed for seventeen years—the life of a patent—even under an original title, because the inventor who first patents a process in the United States can patent the product also."

Most of those who argue on this subject entirely forget the fundamental difference in the laws of Germany and of the United States. In the former country, the burden of proof is upon the accused; in our own country, the burden of proof is upon the accuser. In Germany, if some one invents a new process for making 606, and the original inventor questions his invention, it is upon the second manufacturer to prove that his process is different from Ehrlich's. In this country it is just the other way round; the holder of the patent for the first process would have to prove that the second manufacturer did not have a new and different process of manufacture—a problem almost impossible of solution, practically.

Probably very few practicing physicians realize that most of the larger manufacturers spend very large sums of money upon what, in many cases, is pure and profitless scientific investigation. Such houses as Parke, Davis & Co., Mulford and others have spent hundreds of thousands of dollars in laboratory construction and scientific investigation. More recently Lilly has joined the ranks by erecting a special building for purely scientific purposes. Of course, all these houses are doing business for the profit that there is in it; but they are striving honestly to do good and scientific work. The value of all this investigation by commercial houses is tremendously increased since the formation of the Council on Pharmacy and Chemistry of the A. M. A. Before, it was a question of taking the word of an interested party, no matter what the scientific value of the statements uttered by such a house might be; in other words, there was always the element of suspicion. Now that is entirely done away with and the scientific work that these houses may do in their expensive and thoroughly equipped laboratories can be accepted at its full face value. Just because they may make a profit upon what they put out that is of value, we should not lose sight of the fact that in many instances that product is the result of only one of many investigations, most of which have not proven to be of any real value. The scientific departments of our larger manufacturing houses are doing a real and a very valuable service to modern medicine.

It having been shown by investigations of Dr. John Force that pathogenic organisms, particularly those of tuberculosis, may be found in butter purchased in the local markets several weeks after churning, a bill was prepared in the hygienic department of the University of California providing for the certification of butter by milk commissions organized under the laws of California. This bill was passed by the Legislature, and approved by the Governor, and in conformity with the authority conferred by it, the Alameda County Milk Commission has adopted regulations providing for the certification of butter. So far as known, this is the first attempt to place the manufacture of butter under medical supervision. The requirements cover quality of cream used, pasteurization, general cleanliness, and proper handling and packing after manufacture. Several butter makers have already signified their intention to apply for certification, and it is believed that there will be a ready demand for their product, particularly as it is thought that no increase in price will be necessary.

T. C. McC.